

U.S. Patent Application Serial No. 10/581,533

Supplemental Reply to Office Action of September 9, 2010 and Notice Requiring Excess claims fee

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

Claims 1 - 13 are canceled.

14. (Currently Amended) The ~~An~~ extermination device as claimed in claim 31 ~~1~~, wherein the second holder is configured to hold a plurality of expanded resilient rings and to hold a first one of the expanded resilient rings at a release position, and the extermination device is configured to release the first one of the expanded resilient rings when the trigger device mechanism is actuated and to move a second one of the expanded resilient rings to the release position when the first one of the expanded resilient rings is released from the release position.

Claim 15 is canceled.

16. (Currently Amended) The ~~An~~ extermination device as claimed in claim 14, further comprising a biasing means configured to apply a force to the second one of the resilient rings, towards the release position.

17. (Currently Amended) The ~~An~~ extermination device as claimed in claim 16, wherein the biasing means is coupled to the trigger device ~~mechanism~~.

18. (Currently Amended). The ~~An~~ extermination device as claimed in claim 31 ~~1~~, configured to release the expanded resilient ring, such that it contracts around the neck of the vermin pest.

19-27. (Canceled)

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28. (Withdrawn; Currently Amended) The A vermin extermination device according to claim 31, further comprising:

loading device means having a tapering body adapted to allow said a resilient ring to be expanded from the narrow end to the wide end of the tapering body, wherein the wide end includes a formation adapted to engage with said a second holder holder of said ~~an~~ vermin extermination device.

29 - 30. (Canceled)

31. (New) A vermin extermination device comprising:

a first housing, said first housing having a passage therethrough,

a second housing, said second housing having a closed passage therein and an open end, said first and second housings aligned and connected so that said passage is substantially coterminous with the open end of said closed passage, forming a common passage within said first and second housings,

a trigger device having a trigger, said trigger placed between a bait or attractant within said closed passage and said open end of said closed passage, a vermin actuating said trigger device while within said common passage,

a ring release mechanism connected to said trigger mechanism,

at least one resilient ring, said ring release mechanism releasing an expanded resilient ring, upon configuration of said expanded resilient ring and actuation of said trigger device by said vermin, onto said vermin in said common passage,

said expanded resilient ring, upon release by said ring release mechanism onto said vermin, detaches from said vermin extermination device and contracts onto said vermin, whereby said vermin is killed.

32. (New) The vermin extermination device according to claim 31, wherein said first housing has a passage portion with said passage therethrough and a base portion extending beyond said passage portion and including a reception portion for situating said second housing thereon,

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whereby said first and second housings are aligned and connected.

33. (New) The vermin extermination device according to claim 31, wherein the vermin are selected from the group consisting of mice, rats, stoats, polecats, possums and other animals considered vermin.

34. (New) The vermin extermination device according to claim 33, wherein the diameter of said common passage for said vermin is selected from the group consisting of about 25-40 mm, about 60-100 mm, and diameters consistent with said vermin.

35. (New) The vermin extermination device according to claim 31, wherein said extermination device is affixable to an object or surface selected from the group consisting of the ground, a tree, a pole, a post, a board, a horizontal surface and a vertical surface.

36. (New) The vermin extermination device according to claim 31, wherein said bait or attractant is placed within said closed passage prior to configuring said vermin extermination device to kill said vermin.

37. (New) The vermin extermination device according to claim 31, wherein said trigger device is disposed within said common passage.

38. (New) The vermin extermination device according to claim 31, further comprising a spring means for assisting the ring release mechanism release said expanded resilient ring.

39. (New) The vermin extermination device according to claim 38, wherein said spring means, upon actuation of said trigger device by said vermin, applies a force to said ring release mechanism, forcing said expanded resilient ring onto said vermin.

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40. (New) The vermin extermination device according to claim 39, wherein said expanded resilient ring is disposed on said second housing adjacent the open end thereof, whereby said force from said spring means pushes said expanded resilient ring free of the second housing.

41. (New) The vermin extermination device according to claim 40, wherein said second housing comprises a notch at said open end, said spring means connected to said trigger device through said notch, said spring means, upon actuation by said vermin, applying said force to said expanded resilient ring along said notch, whereby said spring means pushes said expanded resilient ring off said second housing onto said vermin.

42. (New) The vermin extermination device according to claim 38, wherein said spring means, upon actuation of said trigger device by said vermin, applies a lateral force to said expanded resilient ring,

43. (New) The vermin extermination device according to claim 38, wherein said extermination device is armed by a user contracting said spring means.

44. (New) The vermin extermination device according to claim 38, wherein said trigger device comprises:

a firing means having a cocked position and a release position, and

a biasing means for biasing said firing means when in said cocked position to said release position,

whereby upon actuation of said trigger device by said vermin, said firing means, through action by said biasing means, moves from said cocked position to said release position.

45. (New) The vermin extermination device according to claim 44, wherein said firing means, under the action of said biasing means, pushes said expanded resilient ring free of said extermination device and onto said vermin.

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46. (New) The vermin extermination device according to claim 31, further comprising leverage means for leveraging the energy input in arming the said expanded resilient ring to release said expanded resilient ring.

47. (New) The vermin extermination device according to claim 46, wherein said extermination device is armed by a user placing said at least one resilient ring onto said ring release mechanism.

48. (New) The vermin extermination device according to claim 46, wherein said leverage means comprises:

a firing means having a cocked position and a release position, and

a biasing means for biasing said firing means when in said cocked position to said release position,

whereby upon actuation of said trigger device by said vermin, said firing means, through action by said biasing means, moves from said cocked position to said release position.

49. (New) The vermin extermination device according to claim 48, wherein said firing means, under the action of said biasing means, pushes said expanded resilient ring free of said extermination device and onto said vermin.

50. (New) The vermin extermination device according to claim 31, wherein said resilient ring is made of a material selected from the group consisting of: natural rubber, synthetic rubber, a composite material and a metal.

51. (New) The vermin extermination device according to claim 31, wherein said expanded resilient ring has a configuration selected from the group consisting of: circular and rectangular.

52. (New) The vermin extermination device according to claim 31, wherein said expanded resilient ring, upon release, contracts to a normal size, the contracted resilient ring at said normal size having an inner diameter less than the neck size of a vermin.

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53. (New) The vermin extermination device according to claim 31, wherein said trigger device and said ring release mechanism are connected to said second housing.

54. (New) The vermin extermination device according to claim 53, wherein a user arms said trigger device and said ring release mechanism on said second housing while said second housing is separate from said first housing, and wherein said user then connects said first and second housings, arming the vermin eradication device.

55. (New) The vermin extermination device according to claim 31, further comprising interlocking means for connecting said first housing with said second housing.

56. (New) The vermin extermination device according to claim 31, wherein the diameters of said passage and said closed passage differ.

57. (New) The vermin extermination device according to claim 56, wherein the diameter of said passage is greater than the diameter of said closed passage,
whereby said vermin entering said passage feels safe to enter said closed passage.

58. (New) A vermin extermination device comprising:

a first housing having a base portion and a passage portion, said passage portion having a passage therethrough, a vermin entering said extermination device at a first end thereof, said base portion extending beyond the second end of said passage portion and having a reception portion for situating said second housing thereon;

a second housing having a closed passage therein with an open end, said second housing seated in said reception portion of said first housing, said second end of said first housing and said open end of said second housing being aligned so that said passage is substantially coterminous with said closed passage, forming a common passage through said first and second housings;

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a trigger device having a trigger disposed within said common passage, said trigger placed between a bait or attractant within said closed passage and said open end of said closed passage, a vermin actuating said trigger device while within said common passage;

a ring release mechanism connected to said trigger device; and

at least one resilient ring, said ring release mechanism releasing an expanded resilient ring, upon configuration of said expanded resilient ring and actuation of said trigger device by said vermin, onto said vermin in said common passage, said expanded resilient ring detaching from said extermination device and contracting onto said vermin,

whereby said vermin is killed.

59. (New) The vermin extermination device according to claim 58, further comprising leverage means for leveraging the energy input in arming the said expanded resilient ring to release said expanded resilient ring.

60. (New) The vermin extermination device according to claim 59, wherein said extermination device is armed by a user placing said at least one resilient ring onto said ring release mechanism.

61. (New) The vermin extermination device according to claim 59, wherein said leverage means comprises:

a firing means having a cocked position and a release position, and

a biasing means for biasing said firing means when in said cocked position to said release position,

whereby upon actuation of said trigger device by said vermin, said firing means, through action by said biasing means, moves from said cocked position to said release position.

62. (New) The vermin extermination device according to claim 61, wherein said firing means, under the action of said biasing means, pushes said expanded resilient ring free of said extermination device and onto said vermin.

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63. (New) A method of exterminating vermin comprising:
- loading at least one resilient ring onto a ring release mechanism, a resilient ring loaded being expanded thereby;
 - setting a trigger device having a trigger;
 - positioning said trigger within a common passage,
 - wherein said common passage is formed by aligning and connecting a first housing having a passage therethrough with a second housing, said second housing having a closed passage therein and an open end, said first and second housings aligned so that said passage is substantially coterminous with said open end, forming said common passage;
 - wherein said trigger is placed between a bait or attractant within said closed passage and said open end of said closed passage.
 - upon actuation of said trigger by a vermin, triggering the release of said expanded resilient ring from said extermination device onto said vermin in said common passage,
 - whereby the released expanded resilient ring contacts upon and kills said vermin.
64. (New) The method of exterminating vermin according to claim 63, further comprising:
- arming said extermination device is armed by a user contracting said spring means, said spring means providing the energy to activate said extermination device after actuation by said vermin.
65. (New) The method of exterminating vermin according to claim 63, further comprising:
- arming said extermination device by a user expanding said resilient ring onto said ring release mechanism, said expanded resilient ring providing the energy to activate said extermination device after actuation by said vermin.
66. (New) The method according to claim 63, wherein a plurality of said resilient rings are loaded onto said ring release mechanism, and wherein said ring release mechanism releases one of said plurality of resilient rings onto said vermin.

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67. (New) The method according to claim 66, wherein after said one resilient ring is released, moving a second of said resilient rings to a release position.
68. (New) The method according to claim 63, employing the extermination device of claim 31.
69. (New) A kit for a vermin extermination device comprising:
- a first housing, said first housing having a passage therethrough,
 - a second housing, said second housing having a closed passage therein and an open end, said first and second housings being configurable for alignment and connection so that said passage is substantially coterminous with the open end of said closed passage, forming a common passage within said first and second housings,
 - a trigger device having a trigger, said trigger when configured placed between a bait or attractant within said closed passage and said open end of said closed passage, a vermin actuating said trigger device while within said common passage,
 - a ring release mechanism when configured connected to said trigger mechanism,
 - at least one resilient ring, said ring release mechanism when configured releasing an expanded resilient ring placed thereon, upon actuation of said trigger device by said vermin, onto said vermin in said common passage,
 - said expanded resilient ring, when configured and upon release by said ring release mechanism onto said vermin, detaches from said vermin extermination device and contracts onto said vermin,
 - whereby said vermin is killed by the configured vermin extermination device.